

11:26:58 1 Q. If you --

11:26:59 2 A. If we were aware of the due date that was  
11:27:02 3 promised when the go letter was sent out, if I did it,  
11:27:05 4 then I have a date that I know that I could tell him  
11:27:09 5 after that date we can process the orders.

11:27:12 6 Q. And to be clear, if facilities are not  
11:27:15 7 currently available when the salesperson asks for it,  
11:27:18 8 but they're expected to become available soon, NSS, when  
11:27:22 9 they have that information, will relay it to the  
11:27:25 10 salesperson?

11:27:25 11 A. If it's available to them.

11:27:28 12 Q. If it's available to NSS?

11:27:29 13 A. If it's available to the person that's  
11:27:32 14 replying.

11:27:32 15 Q. Right.

11:27:33 16 A. Many times --

11:27:34 17 Q. If --

11:27:35 18 A. Many times the other person would relate  
11:27:38 19 that -- if I did a case, they would not know it and they  
11:27:42 20 would relate that facilities have to be built.

11:27:43 21 Q. I'm assuming the person knows it.

11:27:47 22 A. Well, I would --

11:27:47 23 Q. If the NSS person knows --

11:27:51 24 A. I have to -- back up on that. There's many  
11:27:53 25 NSS people in the organization and the way the cases

11:27:56 1 come, the one person may not get that other case that  
11:28:00 2 they were building.

11:28:01 3 Q. I understand that, so let me be clear, because  
11:28:04 4 I don't want to confuse the record. All I'm asking is,  
11:28:07 5 if an NSS person receives a WALRSS request for a  
11:28:10 6 facility and that facility is being constructed at that  
11:28:12 7 time but is not currently available and that NSS person  
11:28:15 8 knows it, will that NSS person advise the retail  
11:28:19 9 salesperson that that facility is currently under  
11:28:23 10 construction and the estimated due date for that  
11:28:26 11 construction?

11:28:26 12 A. I can only speak for myself. I did --

11:28:29 13 Q. Okay.

11:28:31 14 A. -- as a courtesy to him.

11:28:35 15 Q. And that would be the same answer as if it  
11:28:37 16 were a planned facility that ground had not been broken  
11:28:40 17 on, you would just notify them of the estimated due  
11:28:44 18 date?

11:28:44 19 A. If it's under construction, I can give them a  
11:28:47 20 due date. Otherwise I would give him an interval that  
11:28:50 21 was quoted to me.

11:28:51 22 Q. If it's planned and ground hasn't been broken  
11:28:56 23 yet, you would give them the interval?

11:28:58 24 A. Right, estimated interval.

11:28:59 25 Q. And the same would be true if you were giving

11:29:04 1 that WALRSS response back to ASI?

29:07 2 A. Yes.

11:29:07 3 Q. Now, when you were at NSS or as an OSP  
11:29:13 4 planner, how were you able to assist the customers  
11:29:19 5 directly at that time?

11:29:25 6 A. Generally we didn't deal with the customers  
11:29:28 7 directly. We dealt with the sales people, unless they  
11:29:32 8 requested us to go to a meeting, which was infrequently,  
11:29:37 9 and became less frequent because of the time that we did  
11:29:41 10 not have available to us due to the workload.

11:29:54 11 Q. When you -- was that both for NSS and for OSP  
11:29:58 12 planning?

11:29:59 13 A. As outside plant planner, I usually rarely  
:30:02 14 went out to the field for that purpose.

11:30:06 15 Q. When you were with NSS and you did go on the  
11:30:09 16 client calls, what would you -- how would you help the  
11:30:12 17 client, the customer?

11:30:16 18 A. Mostly my benefit would be able to help the  
11:30:20 19 salesperson not to give information that would put us in  
11:30:26 20 a jeopardy situation.

11:30:29 21 Q. Sometimes the sales people would want you  
11:30:31 22 there, right?

11:30:32 23 A. Yes.

11:30:33 24 Q. To help them talk about facilities and  
30:36 25 technical aspects?

11:30:37 1 A. Right.

11:30:39 2 Q. Okay.

11:30:39 3 A. But, again, the -- I left that to -- I left

11:30:43 4 that to them to discuss and my position was is it

11:30:48 5 doable, what's the interval based on, and it may be on

11:30:55 6 generic, just head knowledge of previous cases that we

11:30:58 7 have done similar to this or if it's for that customer,

11:31:01 8 but as far as the -- I let them be the -- be the

11:31:05 9 technical person, because that's what they were expected

11:31:08 10 to do. The customer didn't know me. They knew those

11:31:13 11 other people.

11:31:13 12 Q. But the salesperson --

11:31:14 13 A. I was just an extra body.

11:31:16 14 Q. The salesperson wanted you there, though?

11:31:19 15 A. Correct, but in the times that we had -- that

11:31:20 16 he wanted us to go out there.

11:31:22 17 Q. So obviously the salesperson thought you added

11:31:26 18 value?

11:31:26 19 A. Yes.

11:31:26 20 Q. Did you add value?

11:31:28 21 A. I felt I did.

11:31:29 22 Q. Okay. And did you go on calls for both retail

11:31:37 23 and access customers?

11:31:38 24 A. Yes.

11:41:25 25 Q. And that was during your tenure with NSS?

11:31:44 1 A. Yes.

31:51 2 Q. To your understanding now, if a -- are NSS  
11:31:57 3 people still making calls, site visits, when requested,  
11:32:05 4 or do you know?

11:32:07 5 A. I don't think they've made any that I know of.

11:32:09 6 Q. Well, you're not in NSS now, are you?

11:32:12 7 A. I know, but speaking from what I have -- the  
11:32:19 8 two new people that have asked me to go with them on  
11:32:22 9 site -- on visits, they haven't been on one. I know  
11:32:25 10 they haven't.

11:32:26 11 Q. The NSS new people?

11:32:27 12 A. Uh-huh. And I know the others really  
11:32:31 13 didn't -- they didn't tend to -- I want to say advertise  
11:32:38 14 it or to make it a -- one of their needs. They  
11:32:45 15 discouraged it.

11:32:47 16 Q. Right. But some NSS people may be going on  
11:32:51 17 site visits, you just don't know, right?

11:32:53 18 A. I know the ones that usually don't.

11:32:55 19 Q. You don't know that -- there's some that may  
11:32:58 20 be going that you can't vouch for?

11:33:01 21 A. No, I can't vouch for what they're doing  
11:33:05 22 today, no.

11:33:07 23 Q. And back then, when you were in NSS, you were  
11:33:09 24 also doing project management in NSS, right?

33:12 25 A. Of a sort.

11:33:13 1 Q. And now project management is no longer in  
33:16 2 NSS, is it?

11:33:18 3 A. No, it's outside.

11:33:19 4 Q. Project management is outside.

11:33:19 5 Who handles project management for  
11:33:21 6 non-global market accounts?

11:33:25 7 A. Two other groups.

11:33:27 8 Q. What are those groups?

11:33:28 9 A. One is SBA.

11:33:32 10 Q. S-P-A?

11:33:34 11 A. S-B-A.

11:33:34 12 Q. What does that stand for?

11:33:37 13 A. Small business accounts.

14 Q. Okay.

11:33:38 15 A. I believe that's the right initials for them.

11:33:41 16 Q. Okay.

11:33:42 17 A. I refer to it as premise sales. It's more  
11:33:46 18 like -- I don't know what the right term is for that  
11:33:48 19 group. It's anything that's not national, but major  
11:33:53 20 account -- major customers. That's what it is, major  
11:33:57 21 customers, like the City of Dallas, the City of Houston.  
11:34:00 22 They don't go past the boundary of that jurisdiction.  
11:34:04 23 They are not statewide, nor are they -- they're  
11:34:09 24 localized, but they're major customers.

25 Q. And now that --

11:34:11 1 A. And you've got the other one, there's one  
34:14 2 more. That's where they handle everything that's  
11:34:17 3 basically the wireless and the carriers. So right now I  
11:34:22 4 think there's four project managers that I know of. I  
11:34:26 5 mean, four different groups besides the ones on the  
11:34:29 6 other side.

11:34:29 7 Q. And then ASI has its on project management  
11:34:33 8 group?

11:34:33 9 A. Yes.

11:34:39 10 Q. But ASI's project management group doesn't  
11:34:43 11 project manage projects directly without another project  
11:34:46 12 manager being involved, right?

11:34:48 13 A. Correct.

:34:53 14 Q. So since the project management function was  
11:34:56 15 moved out of NSS a couple of years ago, right?

11:34:59 16 A. Within the past year-and-a-half.

11:35:01 17 Q. Year-and-a-half.

11:35:02 18 -- do the project managers go to --

11:35:05 19 A. Basically, when I moved, they changed it.

11:35:07 20 Q. Right. Do the project managers do site visits  
11:35:15 21 when requested?

11:35:15 22 A. Yes.

11:35:16 23 Q. That's more common than an NSS site visit,  
11:35:20 24 right?

35:20 25 A. It's almost -- that's -- the expectation is

11:35:24 1 for the project manager to do the --

11:35:26 2 Q. To do the site visit?

11:35:27 3 A. Yes.

11:35:28 4 Q. Project managers can also do site visit before  
11:35:32 5 the sale is made, too, right, if requested?

11:35:35 6 A. If they know about it. They usually don't  
11:35:37 7 know about it until they're given the project.

11:35:40 8 Q. If requested by the salesperson, though, then  
11:35:43 9 they would know about it, right?

11:35:45 10 A. Very rarely on that side of -- because, again,  
11:35:49 11 they don't know who they're going to be giving the  
11:35:53 12 project to. There's more people over there than there  
11:35:56 13 are on my side, for Houston.

11:36:00 14 Q. Okay. As a project manager for global  
11:36:10 15 markets, do you receive any type of compensation or  
11:36:16 16 benefit when certain sales are made?

11:36:18 17 A. No.

11:36:19 18 Q. Do you have any type of at risk commission  
11:36:23 19 type of benefits based on sales?

11:36:29 20 A. Only if I made an added sale, and only on that  
11:36:33 21 is -- a sale, if it's something that wasn't ordered  
11:36:38 22 originally and I -- and I can be able to follow through  
11:36:44 23 with it and it's -- for the projects that I do it's  
11:36:47 24 rare.

11:36:48 25 Q. Right. But there is a structure in place that

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11:36:51 1 if you can up-sell a customer in revenue that you would  
36:54 2 get a percentage of that?

11:36:56 3 A. A small percentage of it.

11:37:00 4 Q. Okay. And that's offered to all the project  
11:37:03 5 managers?

11:37:03 6 A. Right.

11:37:04 7 Q. Right now, correct?

11:37:05 8 A. Right. Well, right now it's offered to -- I'm  
11:37:09 9 only aware of the global managers that's available to.  
11:37:13 10 I don't believe it's available to the other -- I don't  
11:37:14 11 think the others have that, or if they do, I'm not aware  
11:37:19 12 of it.

11:37:20 13 Q. They might, you just don't know?

:37:22 14 A. Yes.

11:37:22 15 Q. But for -- you do know that the project  
11:37:25 16 managers in global markets have a commission plan where  
11:37:28 17 they can get compensated for assisting with a sale or  
11:37:31 18 up-selling revenue?

11:37:33 19 A. Only on up-sells.

11:37:35 20 Q. Only on up-sells.

11:37:37 21 If they assist with the sale, is there  
11:37:39 22 any ability to get any type of remuneration for that?

11:37:43 23 A. No.

11:37:43 24 Q. But if they participate -- if the global  
37:47 25 market project manager assists with the sale in a way

11:37:55 1 that leads to an increase in revenue from the customer,  
37:59 2 then that project manager would be entitled to a  
11:38:01 3 percent?

11:38:02 4 A. Only if we initiated it with the customer.

11:38:04 5 Q. Right. What if you source the whole deal and  
11:38:09 6 then refer it to a salesperson?

11:38:11 7 A. Still don't get anything.

11:38:12 8 Q. Even if you find out about it first?

11:38:14 9 A. Uh-huh, because somebody has got to issue a  
11:38:17 10 WALRSS case to get me involved.

11:38:21 11 Q. So if you find out about it because the guy  
11:38:23 12 lives next door to you and you --

11:38:26 13 A. Oh, on something like that if it's a regular  
11:38:30 14 phone sale, we have an employee -- way of turning in if  
11:38:33 15 you want to buy service is an employee referral, and  
11:38:38 16 then that goes to the appropriate -- and you get  
11:38:41 17 something -- you get some --

11:38:43 18 Q. I'm talking about a big deal. Like if, say,  
11:38:46 19 you live next door to a telecom manager for Exxon and  
11:38:49 20 you talk him into doing a special frame relay deal and  
11:38:53 21 you get your sales guy involved to help close the deal  
11:38:57 22 and everybody makes a lot of money, you would get -- be  
11:39:00 23 entitled to some type of commission for that, right?

11:39:04 24 A. I don't -- I would have to be more  
39:07 25 knowledgeable than I am to be able to do that.

11:39:10 1 Q. But the system is in place for that to happen,  
39:13 2 if that were the facts, right?

11:39:15 3 A. Only if the -- only at the low level. When it  
11:39:20 4 starts getting at the higher level, then the only thing  
11:39:22 5 I can do is give that name and say, hey, y'all need to  
11:39:26 6 go out there and make a visit, but I still -- I don't  
11:39:29 7 get anything from it.

11:39:30 8 Q. Even if you refer the whole sale, you don't  
11:39:33 9 get anything from it?

11:39:37 10 A. No.

11:39:38 11 Q. But if you up-sell them on revenue, then you  
11:39:42 12 do get something from it?

11:39:43 13 A. Yes.

11:39:43 14 Q. When you were in NSS, was there a compensation  
11:39:46 15 plan in place to benefit NSS people who assisted in  
11:39:50 16 sales?

11:39:50 17 A. No. No. That was not expected of us.

11:39:54 18 Q. Putting aside whether or not it was  
11:39:57 19 expected --

11:39:57 20 A. It was frowned on.

11:39:58 21 Q. -- if an NSS person did that and up-sold the  
11:40:02 22 deal and got more revenue for the company, would they  
11:40:05 23 get a special compensation?

11:40:07 24 A. No.

40:21 25 Q. What about OSP engineers?

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11:40:23 1 A. They have the same tool that all the employees  
11:40:26 2 have, is the employee referral system. They put the  
11:40:29 3 referral in and it's processed within the system.

11:40:32 4 Q. Right.

11:40:33 5 A. I mean, what you asked awhile ago, NSS, they  
11:40:37 6 could do the same thing, but they would get -- only if  
11:40:40 7 that sale comes back through them, it's processed and  
11:40:43 8 it's sold, then there's a contract, then they would  
11:40:46 9 get -- and the OSP person or whoever it may be, it may  
11:40:49 10 be a -- it could be a special services person. It  
11:40:55 11 really doesn't matter. The employees in general have  
11:40:59 12 access to that.

11:41:00 13 Q. All employees do?

11:41:01 14 A. Yeah, they're encouraged to do that, but not  
11:41:05 15 to the detail that you were referring to. I mean,  
11:41:07 16 usually it's on a lower level, it's add lines and that  
11:41:11 17 type of thing.

11:41:12 18 Q. Have you ever heard of Mr. Taylor Galvon  
19 (phonetic)?

11:41:15 20 A. I used to know him quite well.

11:41:18 21 Q. Didn't he receive significant recognition for  
11:41:22 22 his sales efforts while he was in OSP?

11:41:26 23 MR. HARTLEY: Object to form.

11:41:28 24 A. Hearsay only.

41:29 25 Q. Yeah, just what you heard at the water cooler.

11:41:32 1 Tell me what you heard at the water cooler.

41:36 2 A. I was aware that he had.

11:41:38 3 Q. And what had you heard from the grapevine?

11:41:44 4 A. He was just more proactive to go -- putting in

11:41:51 5 referrals that would -- may materialize and do that.

11:41:58 6 Q. And --

11:41:58 7 A. He was basically, I guess -- he had -- he had

11:42:02 8 more, I guess, sources available.

11:42:05 9 Q. Right. And --

11:42:06 10 A. Or time, whatever.

11:42:07 11 Q. Was he using the employee referral plan?

11:42:11 12 A. That's the only way you can do it.

11:42:13 13 Q. So there is an employee referral plan that the

11:42:16 14 NSS qualifies, the OSP qualifies, everybody qualifies

11:42:20 15 for, right?

11:42:21 16 Is that right?

11:42:22 17 A. Those people have that plan. I have a

11:42:24 18 different one that I -- I can use that one, too.

11:42:27 19 Q. You have both ways?

11:42:28 20 A. I can do it --

21 Q. Both ways?

11:42:29 22 A. -- both ways.

11:42:30 23 Q. So you get -- there's a special plan for you

11:42:32 24 now in global markets as a project manager?

42:34 25 A. Right.

11:42:35 1 Q. That allows you to get a piece of revenue that  
42:37 2 you up-sell on your global accounts?

11:42:39 3 A. Uh-huh. Right.

11:42:40 4 Q. And then any employee can do a special  
11:42:45 5 referral deal to a salesperson and when that deal closes  
11:42:48 6 he gets a piece of that revenue?

11:42:50 7 A. If there's a sale involved, he will get the  
11:42:54 8 revenue.

11:42:54 9 Q. Some percentage?

11:42:55 10 A. Whatever percentage is being agreed to in that  
11:42:57 11 employee referral system.

11:43:00 12 Q. Right. Okay.

11:43:03 13 You have participated in numerous -- when  
11:43:11 14 you were at NSS and OSP planning, participated in  
11:43:15 15 numerous facility checks over the years, right?

11:43:19 16 A. I was -- yes.

11:43:19 17 Q. Hundreds? Thousands? Tens of thousands? How  
11:43:24 18 many would you estimate?

11:43:31 19 A. Probably it could be as many as 100 a month,  
11:43:34 20 maybe more, a couple of hundred a month. It depends on  
11:43:37 21 the flow through. I remember one was -- I mean, it  
11:43:41 22 was -- I think there was like 75 at one time.

11:43:45 23 Q. So that's --

11:43:46 24 A. Basically, I sent some of them back and said  
43:49 25 let's process these in a timely order. I can't be able

11:43:52 1 to -- no one else can work them in an interval.

43:56 2 Q. In that short -- too much. So that would be  
11:44:02 3 one to 2,000 a year?

11:44:03 4 A. Yes, we would --

11:44:05 5 Q. One to 200 a month?

11:44:06 6 A. Yes, it varies. I mean -- but sometimes it  
11:44:09 7 would be -- sometimes I saw that many facility checks  
11:44:12 8 coming through.

11:44:13 9 Q. Do you -- and -- sitting here today, do you  
11:44:20 10 believe every one of those was accurate, or is it  
11:44:24 11 possible that you made mistakes?

11:44:28 12 A. They were accurate based on the information I  
11:44:32 13 was given and qualified that they were only good for --  
11:44:36 14 if it was a facility available, it was good for ten  
11:44:39 15 days. If it was a funding/no funding to build  
11:44:43 16 facilities, it was good for 90 days.

11:44:46 17 Q. And you say it was based on the information  
11:44:47 18 you were given. Is it possible the information you were  
11:44:50 19 given was mistaken?

11:44:53 20 A. That's always a possibility.

11:44:57 21 Q. So -- and not to belabor the point, but it's  
11:45:00 22 just quite possible that -- not possible, but it's  
11:45:05 23 probably likely that not every facility check request is  
11:45:10 24 absolutely correct. Not every facility check response  
45:14 25 is correct. Mistakes are made?

11:45:17 1 A. Very few. Very, very few.

11:45:19 2 Q. You have no way of knowing, do you?

11:45:22 3 A. Not until the -- not until the order goes

11:45:29 4 through the system.

11:45:30 5 Q. So you don't know -- other OSP planners, the

11:45:33 6 information provided by OSP, the information provided by

11:45:37 7 IFCPC, the calculation's done by NSS, there are many

11:45:42 8 areas in this process where somebody could make a

11:45:44 9 mistake, correct?

11:45:48 10 A. It's possible.

11:45:51 11 Q. And my understanding is you believe that

11:45:53 12 mistakes are not typically made, but it's possible they

11:45:58 13 happen sometimes, correct?

11:46:00 14 A. That's human nature.

11:46:01 15 Q. Human nature. And if we just calculate how

11:46:06 16 many facility check responses have gone back out of NSS,

11:46:09 17 it's fair to assume that a certain percentage of them

11:46:12 18 probably had inaccuracies in them at some point,

11:46:16 19 correct?

11:46:18 20 MR. HARTLEY: Object to form.

11:46:22 21 Q. Just statistically.

11:46:23 22 A. Very few.

11:46:25 23 Q. Right.

11:46:26 24 A. Again, very, very few.

11:46:28 25 Q. Very few.



11:46:28 1 A. A low percentage.

11:46:29 2 Q. A low percentage, but some percentage,

11:46:32 3 correct?

11:46:32 4 A. Not some. I'm saying it's -- it was -- it was

11:46:37 5 our job to get the facilities correct. I mean, to give

11:46:40 6 that information as correct as we could possibly give

11:46:42 7 it.

11:46:42 8 Q. I understand.

11:46:43 9 A. I would not know if it was incorrect or not.

11:46:45 10 Q. You didn't guarantee perfection, though, did

11:46:49 11 you?

11:46:49 12 A. You don't know me. I get -- I'm a

11:46:56 13 perfectionist.

11:46:56 14 Q. Okay.

11:46:57 15 A. More so than --

11:46:58 16 Q. How about everyone else you work with?

11:47:01 17 A. I can't speak for them.

11:47:02 18 Q. Are you vouching for the perfection of every

11:47:06 19 other OSP planner and every other IFCPC person?

11:47:12 20 A. No.

11:47:12 21 Q. The reality is people are only human, right?

11:47:14 22 A. Yes.

11:47:15 23 Q. You have to assume statistically that some of

11:47:19 24 those facility check responses are not correct; isn't

11:47:25 25 that correct?

11:47:26 1 MR. HARTLEY: Object to form.

47:27 2 A. I can't speak for them.

11:47:29 3 Q. I'm not asking you to speak for every facility

11:47:31 4 check response.

11:47:32 5 A. But that's what you're asking.

11:47:33 6 Q. Do you believe, sitting here today, sir, that

11:47:36 7 every facility check response that NSS has sent back

11:47:39 8 through WALRSS has been 100 percent correct?

11:47:43 9 A. To their knowledge, it has been correct.

11:47:43 10 Q. That's not my question, sir. Sitting here

11:47:46 11 today, do you believe that every facility check response

11:47:49 12 based on information gathered, sent out through NSS

11:47:52 13 through the WALRSS system has been correct?

11:47:54 14 A. Are you asking for my belief in it --

11:47:57 15 Q. Yes, sir.

11:47:57 16 A. -- or my knowledge?

11:47:58 17 Q. I'm asking for you belief, sitting here today,

11:48:01 18 hundreds of thousands, do you believe every one was

11:48:05 19 correct?

11:48:05 20 A. I believe there are some that are incorrect.

11:48:08 21 I would have answered differently, but that's their

11:48:11 22 answer that they got. I mean, we interpret what we get

11:48:13 23 from the other people. It's not -- it's not -- if --

11:48:16 24 Q. It's not perfect, is it?

48:18 25 A. I mean, there's a big system out there and if

11:48:21 1 they -- if you're processing multiple cases, they could  
48:25 2 see a facility available and somebody else would be  
11:48:27 3 processing the case that does not reserve facilities, so  
11:48:31 4 you could have -- you could have contention. I don't  
11:48:36 5 know that and the people processing cases don't know  
11:48:39 6 that.

11:48:39 7 Q. Do people sometimes disagree as to whether  
11:48:42 8 facilities are available?

11:48:44 9 A. Disagree in which respect?

11:48:47 10 Q. Have a difference when they look at the  
11:48:50 11 records how they're reading them?

11:48:55 12 A. That's their interpretation, but we don't have  
11:48:58 13 that opportunity to have multiple people look at it.

11:49:01 14 It's only one person that's going to give us an answer  
11:49:04 15 that they've been assigned that case number, and then  
11:49:08 16 they give us an answer. We don't have an opportunity to  
11:49:11 17 go ask multiple --

11:49:17 18 Q. Does every OSP planner review the -- see the  
11:49:21 19 same thing in the same record or do people interpret in  
11:49:25 20 different ways?

11:49:29 21 A. All the OSP engineer is doing is looking to  
11:49:32 22 see if there's fiber.

11:49:35 23 MR. CRAWFORD: Object, non-responsive.

11:49:36 24 Q. Sir, when people look at these records, do  
49:39 25 they interpret them the same way or not, every time?

11:49:43 1 A. I can't speak -- my guess is probably not.

11:49:46 2 Q. Okay. That's all my question was.

11:49:48 3 The same for IFCPC, do they interpret  
11:49:53 4 these records the same way?

11:49:54 5 A. No.

11:49:55 6 Q. So people disagree on how they interpret  
11:49:59 7 records sometimes, it just happens?

11:50:02 8 A. It's how they read what they're looking at.

11:50:05 9 Q. And it's subject to interpretation at times,  
11:50:07 10 correct?

11:50:13 11 A. Yes.

11:50:15 12 Q. Okay. You mentioned earlier that if a -- when  
11:50:39 13 you were in NSS and a order came through on the WALRSS  
11:50:44 14 system with a W in front of it, you generally knew that  
11:50:47 15 was from a CLEC, correct?

11:50:48 16 A. Yes.

11:50:49 17 Q. When you forwarded that order on to IFCPC or  
11:50:52 18 the OSP planner, did they also know that to be the case?

11:50:57 19 A. Yes.

11:50:59 20 Q. Have you had occasion in your experience with  
11:51:04 21 Southwestern Bell to look at PLRs, physical layout  
11:51:09 22 records?

11:51:09 23 A. When I was in planning and design, yes.

11:51:15 24 Q. Okay. And you know they're still in use  
today, right?

11:51:19 1 A. Yes.

11:51:21 2 Q. Have you had occasion to work with DWOs,  
11:51:24 3 design work orders?

11:51:25 4 A. I've issued my fair share of them at one time.

11:51:29 5 Q. Yes.

11:51:29 6 A. And I see them. As project manager, I have  
11:51:32 7 them give me a copy of what they're doing so I know  
11:51:35 8 what's being done.

11:51:36 9 Q. So you work with DWOs on a regular basis, even  
11:51:40 10 today, right?

11:51:40 11 A. Yes.

11:51:41 12 Q. And you, over the years, have worked with PLRs  
11:51:43 13 on a regular basis?

11:51:45 14 A. Before NSS, yes.

11:51:49 15 Q. What is a PLR -- if someone asked you what is  
11:51:53 16 a PLR, what does it do, what does it represent, what  
11:51:56 17 would your response be?

11:51:57 18 A. Company inventory, cable poles, terminals, how  
11:52:06 19 much has been placed or when it was placed basically, a  
11:52:10 20 date, so that when we remove it or count it, we know  
11:52:14 21 when it was done.

11:52:16 22 Q. Does that include fiber?

11:52:17 23 A. That's in those -- some of those records, yes.

11:52:20 24 Q. I mean, isn't all fiber on the PLR?

11:52:22 25 A. Well, I'll use the -- I'll use your term PLR.

11:52:30 1 being for all outside plant records, yes.

11:52:34 2 Q. Well, I --

11:52:37 3 A. There's different type of records.

11:52:39 4 Q. Okay.

11:52:39 5 A. But PLR is a generic term that -- I'm being

11:52:45 6 specific in mine, but your term is generic enough that

11:52:50 7 it will cover all records.

11:52:51 8 Q. Well, let's be clear. What are the different

11:52:54 9 subsets of records that you encompass in PLRs?

11:52:58 10 A. You've got underground records and you've got

11:53:01 11 pole records.

11:53:01 12 Q. Okay.

11:53:02 13 A. And pole is everything not buried and the

11:53:07 14 underground records is everything that's underground.

11:53:09 15 Q. And both of those are PLRs?

11:53:12 16 A. Uh-huh.

11:53:12 17 Q. They are different parts of the PLR, subsets?

11:53:16 18 A. Yes.

11:53:17 19 Q. And then what is a DWO?

11:53:19 20 A. Design work order, or engineering work order

11:53:21 21 sometimes they're referred to. It's the authorization

11:53:27 22 to construction to order and build a project for that

11:53:29 23 engineer.

11:53:30 24 Q. Okay. Who prepares the DWO?

11:53:30 25 A. The design engineer, the outside planning, and

11:53:37 1 OSP design engineer.

53:39 2 Q. And what does it show on it for a given  
11:53:44 3 circuit, let's say a SONET ring, that's going to be  
11:53:47 4 deployed?

11:53:47 5 A. They put the case number, their -- and the  
11:53:52 6 fiber that they're going to place, and any permits,  
11:54:03 7 right-of-way issues, conduit information and customer  
11:54:06 8 contact. That's it -- to a -- that's all that I usually  
11:54:15 9 expect to see on there. That's usually about all that's  
11:54:18 10 on there.

11:54:19 11 Q. Now, I've heard before that there are steps on  
11:54:21 12 a DWO. Have you heard that term?

11:54:23 13 A. Yes.

:54:24 14 Q. What is a step on a DWO?

11:54:27 15 A. Placing operation or splicing operation.

11:54:34 16 Q. So to you steps are placing operation and  
11:54:38 17 splicing operations?

11:54:41 18 A. Right.

11:54:42 19 Q. What is a placing operation?

11:54:43 20 A. If you're going to place cable, bury it, how  
11:54:48 21 much you're going to order, how many hours they can  
11:54:52 22 charge to that particular operation, so they can account  
23 for it.

11:54:55 24 Q. It's fiber optic cable?

54:57 25 A. It doesn't matter, copper, fiber, whatever.

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1 Q. Either way?

55:02 2 A. Pole. If a placing crew is involved, they  
11:55:05 3 have to have a placing operation.

11:55:07 4 Q. If you have a circuit that's going to go  
11:55:09 5 through numerous nodes, you know, say, five different  
11:55:15 6 COs, for instance, and it was all part of the same  
11:55:25 7 DWO -- that occurs on occasion, right?

11:55:29 8 A. No. Each CO has its own engineer and they're  
11:55:35 9 responsible for their area.

11:55:40 10 Q. Okay.

11:55:43 11 A. So in your example, if you've got five COs,  
11:55:46 12 you may have five DWOs.

11:55:48 13 Q. What if you're going to deploy a circuit CO to  
55:53 14 a manhole and have five different drops to buildings  
11:55:56 15 along the way? That may be on one CO, correct?

11:56:02 16 A. Yes, could be.

11:56:04 17 Q. Okay. And then that DWO is used by somebody  
11:56:10 18 to go out there and start construction, correct?

11:56:12 19 A. Right. To order cable or order the splicing  
11:56:17 20 or the placing work to be done.

11:56:21 21 Q. Who takes a DWO and begins building with it?

11:56:25 22 A. The construction management center. They  
11:56:27 23 direct the construction people to do that work.

11:56:31 24 Q. Now, so the DWO is work -- is when they start  
56:39 25 a job to start deploying new fiber or new equipment in



11:56:43 1 the field, right?

11:56:44 2 A. Yes.

11:56:44 3 Q. And a PLR is stuff that's already been  
11:56:47 4 deployed?

11:56:48 5 A. Right.

11:56:48 6 Q. At what point does the facilities on a DWO get  
11:56:54 7 posted to the PLR?

11:57:03 8 A. It could be -- well, it should be as soon as  
11:57:09 9 the job is issued. It should be preliminary posted, but  
11:57:13 10 it may not necessarily be. It depends on the workload.

11:57:34 11 Q. Well, if you designed a new circuit in a DWO,  
11:57:38 12 at what point does it get denoted in the PLR and posted  
11:57:42 13 in the PLR?

11:57:44 14 A. I'm going to go back to my experience now.  
11:57:47 15 This is going to be back to pre-'96, when we were doing  
11:57:52 16 that. Sometimes it took as long as six months to get it  
11:57:55 17 posted.

11:57:57 18 Q. After the job was completed?

11:57:59 19 A. Only at -- it may be preposted or sometimes it  
11:58:05 20 was posted as final, but only after it was completed,  
11:58:09 21 yes.

11:58:10 22 Q. And when you say the DWO is completed, you  
11:58:12 23 mean every part of the DWO is completed?

11:58:15 24 A. Yes.

11:58:16 25 Q. So generally the DWO is not posted to the PLR